Amendment and Response Under 37 C.F.R. §1.116 - Expedited Examining Procedure

Serial No.: 10/606,909 Confirmation No.: 5688 Filed: June 26, 2003

For: METHOD AND APPARATUS FOR PROVIDING INTRA-PERICARDIAL ACCESS

Amendments to the Claims

This listing of claims replaces all prior versions, and listings, of claims in the aboveidentified application:

1-38. (Cancelled)

39. (Currently Amended) An apparatus for delivering fluid to a desired location within a patient's body, comprising:

an elongated outer tubular body having proximal and distal ends, the outer tubular body having a lumen extending from the proximal end to the distal end with an inner surface provided with inwardly directed projections spaced from one another around the circumference of the lumen and defining recesses between them;

an elongated inner tubular member coaxially nested within the lumen of the outer tubular body from at least the proximal end of the outer tubular body to the distal end thereof to longitudinally move and rotate therein, wherein the elongated inner tubular member coaxially nested within the lumen of the elongated outer tubular body extends in a proximal direction beyond the proximal end of the elongated outer tubular body and extends in a distal direction beyond the distal end of the elongated outer tubular body, the inner tubular member having a lumen to receive a fluid delivery catheter and an outer surface provided with outwardly directed projections spaced from one another around the circumference of the inner tubular member and defining recesses between them;

a locking mechanism comprising the inwardly directed projections of the outer tubular body and the outwardly directed projections of the inner tubular member,

wherein in a first rotational position of the inner tubular member relative to the outer tubular body, the inwardly and outwardly directed projections and the defined recesses permit the inner tubular member to longitudinally move within the lumen of the outer tubular body and, in a second rotational position of the inner tubular member relative to the outer tubular body, the

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inwardly and outwardly directed projections are caused to engage one another in an interlocking relationship to prevent longitudinal movement of the inner tubular member within the lumen of the outer tubular body;

a first frustoconical flange carried at a distal end of the elongated inner tubular member; and

a second frustoconical flange carried at the distal end of the elongated outer tubular body, said second flange being oppositely directed from said first flange; and

a fluid delivery catheter slidably located within the lumen of the inner tubular member, having proximal and distal ends and provided with laterally directed fluid delivery ports adjacent its distal end, the distal end of the fluid delivery catheter being locatable within the inner tubular member.

40. (Withdrawn) An apparatus for delivering fluid to a desired location within a patient's body; comprising:

a tubular member having proximal and distal ends;

means adjacent the distal end of the tubular member for stabilizing the tubular member relative to body tissue through which the tubular member may extend; and

a fluid delivery catheter slidably located in the tubular member, having proximal and distal ends and provided with laterally directed fluid delivery ports adjacent its distal end, the distal end of the fluid delivery catheter being locatable within the tubular member.

41. (Previously Presented) The apparatus of claim 39, wherein the elongated outer tubular body and inner tubular member are adapted to provide access to and delivery of treatment in the pericardial space.

42. (Cancelled)

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43. (Previously Presented) The apparatus of claim 39, wherein the inwardly directed projections are spaced apart approximately 120° from one another, the outwardly directed projections are spaced apart approximately 120° from one another, and the

inner tubular member is rotated approximately 60° relative to the outer tubular body between the first and second rotational positions.

- 44. (Previously Presented) The apparatus of claim 39, wherein the inwardly directed projections on the lumen of the outer tubular body are circumferentially aligned to form a ring and the outwardly directed projections on the inner tubular member are circumferentially aligned to form a ring.
- 45. (Previously Presented) The apparatus of claim 39, wherein the inner lumen surface of the outer tubular body is provided with a plurality of rings of inwardly directed projections, each ring comprising a plurality of projections spaced from one another around the circumference of the lumen and defining recesses between them; and wherein the outer surface of the inner tubular member is provided with a plurality of rings of outwardly directed projections, each ring comprising a plurality of projections spaced from one another around the circumference of the inner tubular member and defining recesses between them.